

**PHARMACY BOARD[657]**

**Adopted and Filed**

**Rule making related to statewide protocols**

The Board of Pharmacy hereby amends Chapter 39, “Expanded Practice Standards,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 147.76 and 155A.46.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 155A.46.

*Purpose and Summary*

The amendments provide language which identifies an order issued by a pharmacist under a statewide protocol as constituting a prescription for the purpose of submission of third-party insurance claims.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on April 10, 2019, as **ARC 4388C**. In addition, similar amendments to Chapter 39 were Adopted and Filed Emergency and published in the Iowa Administrative Bulletin as **ARC 4387C** on the same date. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Board on July 10, 2019.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on September 4, 2019, at which time the Adopted and Filed Emergency amendments are hereby rescinded.

The following rule-making actions are adopted:

ITEM 1. Amend rule 657—39.6(155A) as follows:

**657—39.6(155A) Statewide protocols.** A pharmacist may, pursuant to statewide protocols developed by the board in consultation with the department of public health and available on the board's website at [pharmacy.iowa.gov](http://pharmacy.iowa.gov), ~~prescribe~~ order and dispense medications pursuant to rules 657—39.8(155A), 657—39.9(155A), and 657—39.11(155A). For the purpose of this rule, the order shall constitute a prescription.

ITEM 2. Amend rule 657—39.8(155A) as follows:

**657—39.8(155A) Statewide protocol—naloxone.** An authorized pharmacist may ~~prescribe~~ order and dispense naloxone to patients 18 years and older pursuant to a statewide protocol developed pursuant to rule 657—39.6(155A) and in compliance with this rule. An authorized pharmacist may only delegate the dispensing of naloxone to an authorized pharmacist-intern under the direct supervision of an authorized pharmacist. For the purpose of this rule, the order shall constitute a prescription.

**39.8(1) to 39.8(6)** No change.

**39.8(7) Records.** An authorized pharmacist shall maintain records of naloxone ~~prescribed~~ ordered and dispensed pursuant to the statewide protocol.

ITEM 3. Amend rule 657—39.9(155A) as follows:

**657—39.9(155A) Statewide protocol—nicotine replacement tobacco cessation products.** An authorized pharmacist may ~~prescribe~~ order and dispense nicotine replacement tobacco cessation products to patients 18 years and older pursuant to a statewide protocol developed pursuant to rule 657—39.6(155A) and in compliance with this rule. An authorized pharmacist may only delegate the dispensing of a nicotine replacement tobacco cessation product to an authorized pharmacist-intern under the direct supervision of an authorized pharmacist. For the purpose of this rule, the order shall constitute a prescription.

**39.9(1) to 39.9(6)** No change.

**39.9(7) Records.** An authorized pharmacist shall maintain records of nicotine replacement tobacco cessation products ~~prescribed~~ ordered and dispensed pursuant to the statewide protocol.

ITEM 4. Amend rule 657—39.11(155A) as follows:

**657—39.11(155A) Vaccine administration by pharmacists—statewide protocol.** An authorized pharmacist may ~~prescribe~~ order and administer vaccines and immunizations pursuant to a statewide protocol developed pursuant to rule 657—39.6(155A) and in compliance with this rule. An authorized pharmacist may only delegate the ~~prescribing~~ ordering and administration of a vaccine to an authorized pharmacist-intern under the direct supervision of an authorized pharmacist. For the purpose of this rule, the order shall constitute a prescription.

**39.11(1)** No change.

**39.11(2) Vaccines authorized by statewide protocol.** The vaccines authorized to be ~~prescribed~~ ordered and administered pursuant to the statewide protocol shall include:

*a. to c.* No change.

**39.11(3) and 39.11(4)** No change.

**39.11(5) Verification and reporting.** Prior to the ~~prescribing~~ ordering and administration of an immunization pursuant to the statewide protocol, the authorized pharmacist shall consult and review the statewide immunization registry or health information network. As soon as reasonably possible following administration of a vaccine, the pharmacist shall report such administration to the patient's

primary health care provider, primary physician, and a statewide immunization registry or health information network. If the patient does not have a primary health care provider, the pharmacist shall provide the patient with a written record of the vaccine administered to the patient and shall advise the patient to consult a physician.

[Filed 7/10/19, effective 9/4/19]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/31/19.